

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

MARGARET P. BYERS, *et al.*,
Plaintiffs,

v.

CITY OF RICHMOND, *et al.*,
Defendants.

Civil Action No. 3:23CV801 (RCY)

ORDER


This matter is before the Court on Defendant Gordon J. Painter's Motion to Dismiss (ECF No. 90). For the reasons described in the accompanying Memorandum Opinion and as particularly set forth below, the Motion (ECF No. 90) is GRANTED IN PART and DENIED IN PART.

With respect to Count III, Defendant Painter's Motion is DENIED.

With respect to Count V, Defendant Painter's Motion is GRANTED as to any claims based on a theory of gross or ordinary negligence, and any such claims are hereby DISMISSED; however, the Motion is DENIED as to any claims based on a theory of willful and wanton conduct.

The Clerk is DIRECTED to send a copy of this Order to all counsel of record.

It is so ORDERED.



/s/ Roderick C. Young
United States District Judge

Date: January 13, 2025
Richmond, Virginia